# DEC 1 6 2004

Yee & Associates, P.C.

4100 Alpha Road Suite 1100 Dallas, Texas 75244 Main No. (972) 385-8777 Facsimile (972) 385-7766

# **FACSIMILE COVER SHEET**

To: Commissioner for Patents for Examiner Londra C. Burge Group Art Unit 2178	Facsimile No. 703-872-9306
From: Dell Whitton Paralegal to Duke W. Yee	No. of Pages Including Cover Sheet: 3
<ul> <li>Enclosed herewith:</li> <li>Transmittal document; and</li> <li>Notice of Appeal.</li> </ul>	
Re: Application Serial No. 09/652,365 Attorney Docket No. AUS9-2000-0295-US1	
Date: Thursday, December 16, 2004  Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.	This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.

PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION BY FAXING A CONFIRMATION TO 972-385-7766.

9723857766

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER Group Art Unit: 2178 In re application of: Berstis et al. § DEC 1 6 2004 Ş Examiner: Burge, Londra C. Serial No.: 09/652,365 § Attorney Docket No.: AUS9-2000-0295-US1 Filed: August 31, 2000 For: Method and Apparatus in a Data Certificate of Transmission Under 37 C.F.R. 6 1.8(a) I hereby certify this correspondence is being transmitted via **Processing System for Word Based** facsimile to the Commissioner for Patents, P.O. Box 1450, Render Browser for Skimming or Alexandria, VA 22313-1450, facsimile number (703) 872-9306 on Speed Reading Web Pages December 16, 2004 Dell Whitton

#### TRANSMITTAL DOCUMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

35525
PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

Sir: ENCLOSED HEREWITH:

#### Notice of Appeal

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account 09-0447.

Respectfully submitted,

Duke W. Yee

Registration No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333 Dallas, Texas 75380 (972) 385-8777

**ATTORNEY FOR APPLICANTS** 

RECEIVED

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**CENTRAL FAX CENTER** Group Art Unit: 2178 In re application of: Berstis et al. DEC 1 6 2004 § Examiner: Burge, Londra C. § Serial No.: 09/652,365 Attorney Docket No.: AUS9-2000-0295-US1 Filed: August 31, 2000 For: Method and Apparatus in a Data Certifleate of Transmission Under 37 C.F.R. § 1.8(a) Processing System for Word Based I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Render Browser for Skimming or Alexandria, VA 22313-1450, facsimile number (703) 872-9306 Speed Reading Wcb Pages on December 16, 2004.

### NOTICE OF APPEAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated November 3, 2004 finally rejecting claims 1-36.

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee / Reg. No. 34,285

YEE & ASSOCIATES, P.C.

P.O. Box 802333 Dallas, Texas 75380

(972) 385-8777

ATTORNEY FOR APPLICANTS